

REMARKS

The demand in the Formalities Letter date 06/01/2004, Confirmation number 1324, is respectfully traversed.

The specification has been amended to reflect the state of the drawings. Support for the additional sentence referring to Fig. 10C is found on page 17, line 14.

With this change, the Description of the Drawings now conforms to the drawings as submitted.

Applicant's attorney respectfully maintains that there is no authorization for the examiner to demand that the drawings be changed rather than that the specification be changed. Indeed, if the drawings were changed as the examiner has demanded, they would not conform to the description.

The examiner has further stated that: More than one figure is present and each figure is not labeled "Fig." with a consecutive Arabic numeral (1, 2, etc.) or an Arabic numeral and capital letter in the English alphabet (A, B, etc.) (see 37 CFR 1.84(u)(1)).

The examiner has made a misstatement of fact in citing 37 CFR 1.84(u)(1)). The correct citation is:

37 CFR 1.84 (u) Numbering of views. (1) The different views must be numbered in consecutive Arabic numerals, starting with 1, independent of the


numbering of the sheets and, if possible, in the order in which they appear on the drawing sheet(s). Partial views intended to form one complete view, on one or several sheets, must be identified by the same number followed by a capital letter. View numbers must be preceded by the abbreviation "FIG." Where only a single view is used in an application to illustrate the claimed invention, it must not be numbered and the abbreviation "FIG." must not appear.

Thus, the examiner is incorrect in demanding that the drawings be labeled with "Fig." since the correct label is "FIG."

In summary, the error in the Brief Description of the Drawings has been corrected and the labels on the Figures are in compliance with the regulations.

For the foregoing reasons, allowance of the claims is respectfully solicited.

Respectfully submitted,

by: 
Eric W. Petraske, Attorney
Registration No. 28,459
Tel. (203) 798-1857